

REMARKS

A Request for Continued Examination (RCE) is being filed contemporaneously herewith. Applicant requests reconsideration of the above-identified application in light of the amendments and remarks described herein. Claims 1, 28, and 31 have been amended, and Claim 32 has been withdrawn from consideration. New Claims 36-38 have been added. Thus, Claims 1, 9, 10, 14, 24-26, 28, and 31-38 are pending in this application.

Claims 1, 9, 10, 14, 24-26, 28, 31, and 33-35 have been rejected. Specifically, all of these claims stand rejected under 35 U.S.C. § 103(a).

Applicant respectfully submits that all claims are now in condition for allowance. Accordingly, applicant requests reconsideration and allowance of all claims.

Claim Rejections Under 35 U.S.C. § 103

Claims 1, 9, 10, 14, 24-26, 28, 31, and 33-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. D293,364 issued to Everard, in view of U.S. Patent No. 5,245,713, issued to Tickle, U.S. Patent No. 3,816,858 issued to Martin, U.S. Patent No. 5,728,055 issued to Sebastian, and U.S. Patent No. 4,419,774, issued to Hajek. Applicant respectfully disagrees.

To establish a case of obviousness, the prior art references must teach or suggest all of the claim limitations; there must be some suggestion or motivation, either in the references or in the knowledge of one skilled in the art, to modify the references or to combine the reference teachings; and there must be a reasonable expectation of success.

The Office Action cites Everard as purportedly teaching a portable washing device having a bottom wall, inflatable side walls comprising stacked tubular members, the upper member being C-shaped, and a drain outlet. The Office Action admits that Everard fails to teach

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an opening, an air valve, a drain valve, a heat seal (or seam) having increased cross-sectional contact area, and an inflatable head structure.

The Office Action cites Tickle as purportedly teaching a device having a drain valve. The Office Action cites Martin as purportedly teaching a device having an opening and an air valve. The Office Action cites Sebastian as purportedly teaching a heat seal (or seam) having a teardrop shaped end. The Office Action cites Hajek as purportedly teaching a device having an inflatable head support structure. The Office Action states that it would have been obvious to combine these references to arrive at the claimed embodiments.

Applicant respectfully submits that the cited references, whether cited alone or in any combination, fail to teach or suggest all of the claim limitations. Specifically, none of the cited references teach or suggest reinforcement of the connection or seam between the external surface of the upper inflatable tubular member and the external surface of the lower inflatable tubular member. In that regard, none of the cited references teach or suggest the following claimed features:

(1) "a connection formed by or between an external surface of said upper inflatable tubular member and an external surface of said lower inflatable tubular member extending along a majority of the external surface of said upper tubular member and including a center line, said connection including at least one segment disposed transverse to said center line for connection reinforcement to prevent separation of said upper tubular member from said lower tubular member when a force is applied from said opening to said first or second upper tubular member end along said center line, wherein said segment of the connection between the external surface of said lower tubular member and the external surface of said upper tubular member at either of said ends of said upper tubular member is formed as a teardrop shaped heat seal," as recited in Claim 1;

(2) "a seam interconnecting an external surface of the upper inflatable tubular member and an external surface of the lower inflatable tubular member, wherein said seam has a center line and extends along a majority of the external surface of said upper tubular member and terminates at seam reinforcement portions at its ends, wherein said seam reinforcement portions are configured for preventing separation of said upper tubular member from said lower tubular member when a force is applied from said opening against said first or second upper inflatable tubular member end along the seam center line," as recited in Claim 28; and

(3) "a connection formed by or between an external surface of said upper inflatable layer and an external surface of said lower inflatable layer that connects the external surface of said upper layer to the external surface of said lower layer, said connection extending along a majority of the external surface of said upper inflatable layer and having a center line; and means for preventing the separation of the external surface of said upper inflatable layer from the external surface of said lower inflatable layer when a force is applied from said opening against said first or second upper inflatable layer end along said connection center line that would otherwise separate said upper inflatable layer from said lower inflatable layer absent said means for preventing the separation of the external surface of said upper inflatable layer from the external surface of said lower inflatable layer, wherein said means includes an increased cross-sectional contact area of the connection in proximity of the ends of the upper inflatable layer as compared to the remaining portion of the connection," as recited in Claim 31.

While Sebastian purportedly teaches the use of a heat seal to divide an air bladder into smaller internal chambers having enlarged ends for strengthening purposes, there is no teaching or suggestion to combine Everard and Sebastian to arrive at the claims at issue. Applicant submits that the forces encountered by the connection or seam between the external surface of the upper inflatable tubular member and the external surface of the lower inflatable tubular

member are significantly different in size and direction compared to the forces encountered by the internal seals of the lumbrosacral belt of Sebastian. Therefore, applicant submits that it would not be obvious to look to Sebastian to find a solution to prevent separation of the upper tubular member from the lower tubular member.

Even if the references could be combined for the sake of argument, the references still fail to teach or suggest a connection or seam and end reinforcement between the *external* surface of the upper inflatable tubular member and the *external* surface of the lower inflatable tubular member, as recited in the claims at issue. In contrast, Sebastian provides the use of a heat seal to divide an air bladder into smaller internal chambers connecting *internal* walls of a single air bladder. Therefore, the combination of Everard and Sebastian would merely teach the use of a heat seal to divide either the upper and/or lower inflatable tubular member into smaller internal chambers.

Therefore, applicant submits that independent Claims 1, 28, and 31, and the claims depending therefrom, are nonobvious over the cited references. Accordingly, applicant respectfully requests withdrawal of the rejections to these claims.

New Claims

New Claims 36-38 depend from Claims 1, 28, and 31, respectively, and recite "an inflatable head support structure secured to said bottom wall adjacent said opening." Applicant submits that these new claims are also in condition for allowance. In support, applicant reiterates an argument made in the paper entitled "Amendment C" filed on November 29, 2005. Specifically, applicant submits that Hajek does not teach or suggest an *inflatable* head support structure secured to the bottom wall adjacent the opening. To the contrary, Hajek teaches a bag of granules of soft particulate matters such as polystyrene foam disposed within a second bag. See Hajek, Col. 2, line 65, through Col. 3, line 20.

The Office Action argues that the Hajek bag is sealed and is therefore inflatable. Applicant respectfully disagrees with this argument, because inflating the bag of Hajek would defeat the purpose of filling the bag with granules of soft particulate matter for head support. As such, the Hajek reference discloses a very different solution to the problem of supporting a user's head and the combination of Hajek with Everard, Sebastian, Tickle and Martin is in no way suggested by the references themselves, nor would it produce a structure which could possibly render any of applicant's claims obvious.

CONCLUSION

In view of the foregoing amendments and remarks, applicant respectfully submits the present application is in condition for allowance. The Examiner is invited to contact the undersigned with any remaining questions or concerns.

Respectfully submitted,
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